

C15-2011-0022
ROW-10552799
TP-0110020621

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
INTERPRETATIONS
PART I: APPLICANT'S STATEMENT
(Please type)

STREET ADDRESS: 1204 W. 9th Street, Austin TX

LEGAL DESCRIPTION: Subdivision --

Lewis Hancock

Lot (s) 1 Block 3 Outlot 4 Division Z

ZONING DISTRICT:

I/WE David Bole on behalf of myself/ourselves as authorized

Agent for Self affirm that on

Day of Feb. 17th, 2011, hereby apply for an interpretation hearing before the Board of Adjustment.

Planning and Development Review Department interpretation is:

Front setback on 9th Street, rear setback on 9 ½ Street. Changed 15' rear setback to 7.1' rear setback by allowing setback averaging on the rear of a through lot at 9 ½ Street. However, **Subchapter F, Article 2, 2.4 states: The principal structure shall comply with the rear yard setback prescribed by other provisions of this Code.**

The "rear setback" is clearly marked in the site plan presented at public hearing and included in the Residential Permit application as residing on 9 ½ Street at 15'. The permit #02011-001967 PR was clearly approved with a rear setback of 7' on 9 ½ Street and a the buildable tent was clearly drawn with the rear zone (Portion 3) on 9 ½. (A correction in averaging data has subsequently been submitted along with new drawings, but has only been in response to my appeal. The issue is whether setback averaging is allowed on the rear of a through lot, which is what I believe is happening).

LDC Code Definitions:

FRONT YARD means a yard extending the full width of a lot between the FRONT LOT LINE and the front setback.

REAR YARD means a yard extending the full width of a lot between the REAR LOT LINE and the rear setback.

The "rear setback" is clearly marked in the site plan presented at public hearing and included in the Residential Permit application as residing on 9 ½ Street at 15'. The tent zone is drawn with the back of the zone (zone 3) facing 9 ½, even after setback calculations and drawing were submitted. The permit #02011-001967 PR is clearly approved with a "rear setback" of 7' on 9 ½ Street. So, per the definitions above, the site plan and the permit drawings, the REAR LOT LINE

must exist on 9 ½ across from the “rear setback” . There were no site plans, drawings or notes to indicate that the FRONT LOT LINE exists on 9 ½. So, setback averaging was incorrectly applied at the REAR of a through lot, in this case.

I feel the correct interpretation is:

Confirm the FRONT LOT LINE is on 9th Street and confirm the REAR LOT LINE is on 9 ½ Street. Apply the correct code from LDC to determine appropriate rear setback on the rear of this through lot on 9/12.

25-2-515 Rear Yard of a Through Lot

For a through lot, a rear yard must comply with the minimum requirements applicable to a front yard.

Note: The front setback on 9th Street is 25’

NOTE: The board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable findings statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

1. There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that: _____

After I cited the Subchapter F code that states setback averaging is not allowed on the rear of a through lot in writing to a Planner Principal, City Staff attempted to justify setback averaging by re-defining where the FRONT LOT LINE exists on the lot. City Staff then, for the first time, referred to a definition from another section of the code: FRONT LOT LINE – for a through lot, the lot line abutting the street that provides primary access to the lot.

Primary Access has different meanings in LDC. At times it clearly seems to mean “primary pedestrian access for the majority”. At other times it refers to primary “right-of-way”--this lot has 3 different street “right-of-way” to choose from for Primary Access, two pedestrian and one vehicular. At no time does the LDC clearly define Primary Access as automatically defaulting to the vehicular right-of-way where owners park their car off street (in this case, at the rear of the lot on 9 ½), when there are multiple right-of-ways from which to choose. In fact, there are examples when Primary Access to lot is clearly NOT the vehicular access where the owner pulls off street (or alley) to park.

It seems arbitrary, and ambiguous at best, to try to determine the appropriate FRONT LOT LINE for this lot solely by the term “Primary Access”. All other evidence indicates City Staff and the Applicant consistently considered this as a 9th Street facing lot, with the front setback on the 9th Street side and the rear setback on the 9 ½ Street side. This clearly places the FRONT LOT LINE at 9th Street.

There is an unclear meaning of Primary Access for this lot. Clear evidence exists that establishes 9 ½ street as the location for the "rear setback" of this lot as indicated on site plan, permit application and as defined in the approved permit itself. There is no doubt in how the lot is defined, documented and portrayed as having its REAR on 9 ½. And there is LDC Code which clearly supports this conclusion.

. It has been stated to me that the applicant is able to change their minds and use different parts of the code that may be more favorable to them. However, this change should be unambiguous and should be consistently supported in all areas of the code, especially if the change will clearly disadvantage affected parties with 500 feet. This change is not consistently supported in all areas of the code. What is at issue is the FRONT LOT LINE. The FRONT LOT LINE can be clearly established to belong on 9th Street for this lot by reasonably applying ALL definitions of City Code cited, including the definition for FRONT LOT LINE. However, to assign FRONT LOT LINE to 9 ½, one has to make an arbitrary judgment about what is meant by Primary Access, a judgment clearly not applied consistently nor clearly defined in LDC, while ignoring other clear evidence and other definitions of the code which clearly place the FRONT LOT LINE on 9th Street. The change in FRONT LOT LINE to 9 ½ does seem to allow for "front" setback averaging on 9 ½. However, this is an unreasonable, inconsistent application of the code being used solely to gain what I determine an unfair advantage in setback and height on 9 ½ Street, when there is clear evidence and clear support of LDC code that places the REAR LOT LINE on 9 ½ and FRONT LOT LINE on 9th.

2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because: _____

An appeal of the setback average use provisions will allow the applicant To clearly development to the full parameters of the following LDC code:

25-2-515 Rear Yard of a Through Lot

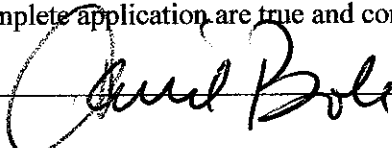
The location of the Rear Yard is unambiguous on this lot both visually and as defined by COA, Owner, Applicant and others at public hearing and as defined in the Residential Permit application as being on 9 ½ Street side of the lot. There is also reasonable, fair application of ALL LDC Code that supports this determination .

3. The interpretation will grant a special privilege to one property inconsistent with other properties or uses similarly situated in that: _____

The CityStaff interpretation will create a special privilege to the property by allowing setback averaging on the rear of a through lot, which results a closer setback to 9 ½ than is otherwise allowed in LDC in this case. The applicant will not be required to either change the design or apply for appropriate variances as would be the case for any other applicant wanting to build closer to the REAR LOT LINE than allowed by code. Additionally, by arbitrarily defining 9 ½ Street as the location of the FRONT LOT LINE, in contradiction to clear evidence to the contrary, the applicant is using the "front" of the buildable tent as defined in Subchapter F. The

"rear" of the tent, Zone 3, requires a 45 degree angle 15' up from the rear lot line. However, the "front" of the tent goes to full height at the front lot line. So, the applicant is also not being required to either change the design or get a variance for building outside the allowable "tent" on 9 ½ (Zone 3) as would be the case for any applicant wanting to build higher than the allowable buildable tent on the rear of this through lot.

APPLICANT/AGGRIEVED PARTY CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Printed David Bole

Mailing Address 907 Shelley Ave

City, State & Zip Austin, TX Phone 512-217-5454

Interested Party Declaration

25-1-131 INTERESTED PARTY

(A) An interested party is a person who has an interest in a matter that is the subject of a public hearing or administrative decision. A person has an interest if the person:

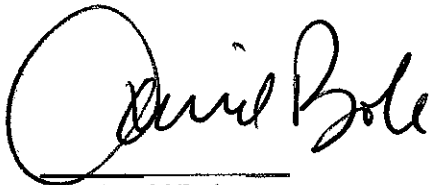
(1) is the applicant or the record owner of property that is the subject of a public hearing or administrative decision; or

(2) **communicates an interest in a matter; and occupies a primary residence that is within 500 feet of the site of the proposed development;**

(C) A person communicates an interest in a matter that is the subject of an administrative decision by delivering a written statement to the responsible director or by making telephone contact with the responsible director. The communication must:

- (1) generally identify the issues of concern;
- (2) include the person's name, telephone phone number, and mailing address;
- (3) be delivered before the earliest date on which action on the application may occur; and
- (4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.

I, David Bole, live at 907 Shelly Avenue, Austin, TX 78703, ph: 512-217-5454, and declare myself an interested party to the decision made, and resulting impact, on the permit for 1204 W. 9th Street. I have engaged in regular conversation and written communication with COA at various points throughout this process since 9/27/10. The decisions which resulted in the misuse of LDC and inappropriate building guidelines for the property in question were not discovered until the release of the permit (attached). The decision was made only days before the approval of the permit. However, I contacted the Residential Review immediately upon discovering the error and have been in consistent conversation ever since. The project has been put on hold. There is ample time to correct the mistake before anything is built on the rear of the lot at 1204 9th Street. Details of all dates and content of communication are available upon request and an email chain with Residential Review regarding this, and other issues, was submitted electronically to Leon Barba upon imitating the appeal.



David Bole



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Issued Permit Report

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FOLDER DETAILS

Permit/Case	Reference File Name	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
2011-001967 PR	2011-001967 PR	partial demo of existing sfres - removal of portion of eastern gable to accommodate reconstruction and addition of new enclosed sleeping porch, removal of front covered wood porch to accommodate rebuild of new porch and removal of northern wall to accommodate second level walkway to new addition of ground floor garage, second floor master suite and third level study. addition of 123 sf storage cellar below existing home. full remodel of existing remaining structure - new wiring, plumbing, hvac and drywall throughout.	R- 434 Addition & Alterations	Addition and Remodel	1204 W 9TH ST	Approved	Jan 10, 2011	Feb 3, 2011	Jan 10, 2011

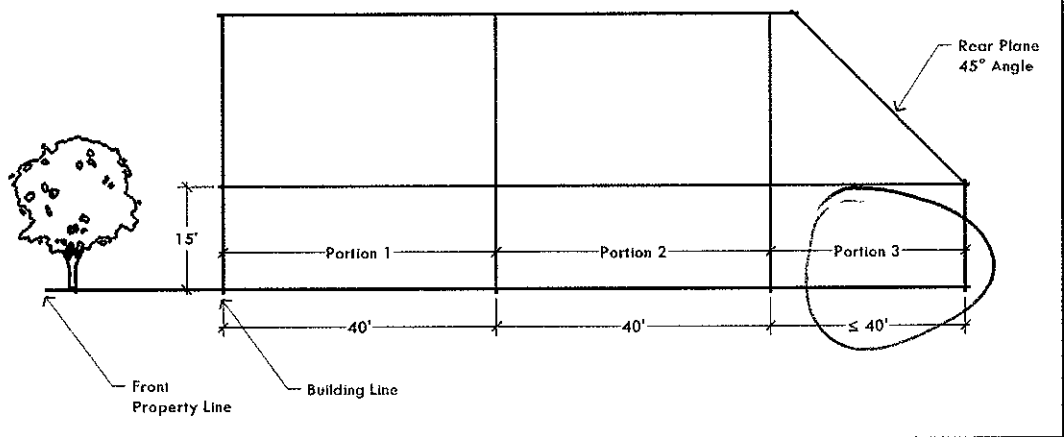
Related Folders: Yes

FOLDER INFO

Information Description	Value
Smart Housing	No
Building Valuation Remodel	175000
Electrical Valuation Remodel	20000
Will Addition have Electrical Work ?	Yes
Mechanical Valuation Remodel	25000
Will Addition have Mechanical Work ?	Yes
Plumbing Valuation Remodel	30000
Will Addition have Plumbing Work ?	Yes
Total Valuation Remodel	250000
Total Job Valuation	600000
Is this property in MUD ?	No
Current Zoning for Building	MF-4-NP
Name of Neighborhood Plan	OLD WEST AUSTIN
Subdistrict	NONE
Status	APPROVED WITH ZONING
Is Historical Review Required?	Yes
Approved by HLC or Hist Preserv. Officer	Yes
HLC or Hist. Preserv. Officer Apprv Date	Jan 20, 2011
Historical Recommendation Comments	none
1704 Flag?	No
Is there a Cut & Fill in excess of 4 ft	No
Building Height (in feet)	32
Parking Spaces Required	2
Number of Bathrooms	4
Size of Water Meter	3/4
Front Set Back	25
Rear Set Back	7.1
Side Set Back	5
Street Side Set Back	15
Does property access a paved alley?	No
Current Use	sfres
Proposed Use	sfres
Change of Use	No
Square Footage of Lot	8820
Trees greater than 19'	Yes
Existing 1st Flr Area Sq. Ft	1543
Existing 2nd Flr Area Sq. Ft	790
Existing 3rd Flr Area Sq. Ft	0
Existing Basement Sq. Ft	0
Existing Attached Garage/Carport Sq. Ft	0
Existing Detached Garage/Carport Sq. Ft	0
Existing Wood Decks Sq. Ft	0
Existing Breezeways Sq. Ft	0
Existing Covered Patios Sq. Ft	0
Existing Covered Porches Sq. Ft	326
Existing Balconies Sq. Ft	0
Existing Swimming Pool(s) Sq. Ft	0
Existing Othr Bld/Covered Areas Sq. Ft	0
Total Existing Building Square Footage	2659
New/Addn 1st Flr Area Sq. Ft	57
New/Addn 2nd Flr Area Sq. Ft	791
New/Addn 3rd Flr Area Sq. Ft	289
New/Addn Basement Sq. Ft	123
New/Addn Attached Garage/Carport Sq. Ft	261
New/Addn Detached Garage/Carport Sq. Ft	0
New/Addn Wood Decks Sq. Ft	357
New/Addn Breezeways Sq. Ft	0

7.1 Rear set back

* Intent is to place this Rear Setback at 9 1/2. However, setback averaging was used to calculate the setback - which is not allowed on the rear of a through lot.



Printed from Subchapter F.

CITY OF AUSTIN

RESIDENTIAL PERMIT APPLICATION "A"

WILKES

PRIMARY PROJECT DATA

11-008908
2/2/11

BP Number 201 00767
Building Permit No. _____
Plat No. _____ Date 1-10-11
Reviewer _____

Service Address 1204 W 9th St Tax Parcel No. _____
Legal Description Lot 1/2 Block 3 Subdivision Div 2 Hancock Subdivision Section _____ Phase _____
If in a Planned Unit Development, provide Name and Case No. _____
(attach final approved copies of subdivision and site plan)
If this site is not a legally subdivided lot, you must contact the Development Assistance Center for a Land Status Determination.

Description of Work
☐ New Residence
☐ Duplex
☐ Garage attached ☐ detached
☐ Carport attached ☐ detached
☐ Pool
☒ Remodel (specify) replacing floors / rewiring / replumbing / sheetrock - complete home remodel
☒ Addition (specify) removing back portion of house building bridge connection to rear addition
☐ Other (specify) rear addition

Zoning (e.g. SF-1, SF-2...) MF-4-NP (SF-3) 25.2.77
Height of Principal building _____ ft. # of floors 2 Height of Other structure(s) _____ ft. # of floors _____
- Does this site currently have water and wastewater availability? Yes No. If no, please contact the Austin Water Utility at 512-972-0000 to apply for water and/or wastewater tap application, or a service extension request.
- Does this site have a septic system? Yes No. If yes, for all sites requiring a septic field you must obtain an approved septic permit prior to a zoning review.
Does this site have a Board of Adjustment ruling? Yes No If yes, attach the B.O.A. documentation
Will this development require a cut and fill in excess of 4 feet? Yes No
Does this site front a paved street? Yes No A paved alley? Yes No
Is this property within the Residential Design and Compatibility Standards Ordinance Boundary Area? Yes No

VALUATIONS FOR REMODELS ONLY

Building \$175,000
Electrical \$20,000
Mechanical \$35,000
Plumbing \$30,000
Driveway/
Sidewalk \$
TOTAL \$260,000
(labor and materials)

VALUATIONS FOR NEW CONSTRUCTION OR ADDITIONS ONLY

Lot Size 8,464 sq. ft.
Job Valuation - Principal Building \$250,000
(Labor and materials)
Job Valuation - Other Structure(s) \$350,000
(Labor and materials)
TOTAL JOB VALUATION
(sum of remodels and additions)
\$600,000
(Labor and materials)

PERMIT FEES
(For office use only)

	NEW/ADDITIONS	REMODELS
Building	\$102,137.50	\$
Electrical	\$234	\$
Mechanical	\$177	\$
Plumbing	\$215	\$
Driveway & Sidewalk	\$	\$
TOTAL	\$	\$

OWNER / BUILDER INFORMATION

OWNER	Name Eric Smith	Telephone (h) _____ (w) _____
BUILDER	Company Name David Wilkes Builders	Telephone 328-8888
	Contact/Applicant's Name - Kase Kasper -	Pager _____ FAX 329-6972
DRIVEWAY/ SIDEWALK	Contractor ED Hager	Telephone 473-0123
CERTIFICATE OF OCCUPANCY	Name _____ Address _____	Telephone _____ City _____ ST _____ ZIP _____

If you would like to be notified when your application is approved, please select the method:

____ telephone

☒ e-mail

kase@davidwilkesbuilders.com

You may check the status of this application at www.ci.austin.tx.us/development/ncriver.htm

Printed by City Staff on 2/28/11.

"still only site plans submitted"
to this date.

FINAL PERMIT APPLICATION "C"

BUILDING COVERAGE

area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing	New / Addition
a. 1 st floor conditioned area	1542 sq.ft.	57 sq.ft.
b. 2 nd floor conditioned area	790 sq.ft.	791 sq.ft.
c. 3 rd floor conditioned area	- sq.ft.	229 sq.ft.
d. Basement	- sq.ft.	123 sq.ft.
e. Garage / Carport	- sq.ft.	- sq.ft.
attached	- sq.ft.	261 sq.ft.
detached	- sq.ft.	- sq.ft.
f. Wood decks [must be counted at 100%]	- sq.ft.	357 sq.ft.
g. Breezeways	- sq.ft.	- sq.ft.
h. Covered patios	- sq.ft.	324 sq.ft.
i. Covered porches	326 sq.ft.	34 sq.ft.
j. Balconies	- sq.ft.	16 sq.ft.
k. Swimming pool(s) [pool surface area(s)]	- sq.ft.	- sq.ft.
l. Other building or covered area(s)	- sq.ft.	255 sq.ft.
Specify <u>Roof Deck</u>		

TOTAL BUILDING AREA (add a. through l.) 2,659 sq.ft. 2,507 sq.ft.

TOTAL BUILDING COVERAGE ON LOT (subtract, if applicable, h., c., d., k. and l. if uncovered)

2,770 sq.ft.
31.24 % of lot

IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	2,770 sq.ft.
b. Driveway area on private property	182 sq.ft.
c. Sidewalk / walkways on private property	298 sq.ft.
d. Uncovered patios	- sq.ft.
e. Uncovered wood decks [may be counted at 50%]	299 sq.ft.
f. Air conditioner pads	104 sq.ft.
g. Concrete decks	- sq.ft.
h. Other (specify) <u>Masonry Wall Top</u>	58 sq.ft.

TOTAL IMPERVIOUS COVERAGE (add a. through h.)

3,671 sq.ft.
41.4 % of lot

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "C"**

000 SHAW - 120000

BUILDING COVERAGE

The area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground level paving, landscaping, or open recreational facilities.

	Existing		New / Addition	
a. 1 st floor conditioned area	1543	sq. ft.	57	sq. ft.
b. 2 nd floor conditioned area	790	sq. ft.	711	sq. ft.
c. 3 rd floor conditioned area	/	sq. ft.	255	sq. ft.
d. Basement	/	sq. ft.	123	sq. ft.
e. Garage / Carport	/	sq. ft.	/	sq. ft.
— attached	/	sq. ft.	261	sq. ft.
— detached	/	sq. ft.	/	sq. ft.
f. Wood decks [must be counted at 100%]	/	sq. ft.	628	sq. ft.
g. Breezeways	/	sq. ft.	/	sq. ft.
h. Covered patios	/	sq. ft.	324	sq. ft.
i. Covered porches	310	sq. ft.	34	sq. ft.
j. Balconies	/	sq. ft.	16	sq. ft.
k. Swimming pool(s) [pool surface area(s)]	/	sq. ft.	/	sq. ft.
l. Other building or covered area(s)	/	sq. ft.	255	sq. ft.
Specify:				

TOTAL BUILDING AREA (add a. through l.) 2,333 sq. ft. 2,661 sq. ft.

TOTAL BUILDING COVERAGE ON LOT (subtract, if applicable, b., c., d., k. and l. if uncovered)

2,685 sq. ft.
30.28 % of lot

IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

a. Total building coverage on lot (see above)	2,685	sq. ft.	COUNT
b. Driveway area on private property	/	sq. ft.	(GRAVEL ONLY)
c. Sidewalk / walkways on private property	300	sq. ft.	
d. Uncovered patios	/	sq. ft.	
e. Uncovered wood decks [may be counted at 50%]	314	sq. ft.	
f. Air conditioner pads	64	sq. ft.	
g. Concrete decks	/	sq. ft.	
h. Other (specify) <u>TOP OF MASONRY</u>	58	sq. ft.	SLAB PATHWAYS?
<u>WALL @ Prop LINE</u>			COSTAIN?

TOTAL IMPERVIOUS COVERAGE (add a. through h.)

3,421 sq. ft.
38.58 % of lot

**CITY OF AUSTIN
RESIDENTIAL PERMIT APPLICATION "D"
FLOOR AREA RATIO INFORMATION**

DeVos

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY
STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 1204 W. 9th STREET

Applicant's Signature _____

Date _____

GROSS FLOOR AREA AND FLOOR AREA RATIO as defined in the Austin Zoning Code

	Existing	New / Addition
I. 1st Floor Gross Area		
a. 1 st floor area (excluding covered or uncovered finished ground-floor porches)	1573 sq. ft.	57 sq. ft.
b. 1 st floor area with ceiling height over 15 feet.	— sq. ft.	— sq. ft.
c. TOTAL (add a and b above)	1573 sq. ft.	57 sq. ft.
II. 2nd Floor Gross Area See note 1 below		
d. 2 nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	791 sq. ft.	791 sq. ft.
e. 2 nd floor area with ceiling height > 15 feet.	— sq. ft.	— sq. ft.
f. TOTAL (add d and e above)	791 sq. ft.	791 sq. ft.
III. 3rd Floor Gross Area See note 1 below		
g. 3 rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft)	— sq. ft.	289 sq. ft.
h. 3 rd floor area with ceiling height > 15 feet	— sq. ft.	— sq. ft.
i. TOTAL (add g and h above)	0 sq. ft.	289 sq. ft.
IV. Basement Gross Area		
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	0 sq. ft.	0 sq. ft.
V. Garage		
k. <input checked="" type="checkbox"/> attached (subtract 200 square feet if used to meet the minimum parking requirement)	— sq. ft.	61 sq. ft.
l. <input type="checkbox"/> detached (subtract 450 square feet if more than 10 feet from principal structure)	— sq. ft.	— sq. ft.
VI. Carport (open on two or more sides without habitable space above it subtract 450 square feet)	— sq. ft.	— sq. ft.
VII. TOTAL	2,333 sq. ft.	1,198 sq. ft.

TOTAL GROSS FLOOR AREA (add existing and new from VII above)	3531 sq. ft.
GROSS AREA OF LOT	9809 sq. ft.
FLOOR AREA RATIO (gross floor area / gross area of lot)	0.376 sq. ft.

If a second or third floor meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

- It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
- It only has one floor within the roof structure
- It does not extend beyond the footprint of the floors below
- It is the highest habitable portion of the building; and
- Fifty percent or more of the area has a ceiling height of seven feet or less.

RESIDENTIAL DEMOLITION PERMIT APPLICATION

PAGE 2

1. ☒ No ☐ Yes - Will the proposed work require the use of City right-of-way? If "Yes" a Right of Way Management (Rowman) Application must be approved prior to any such activity. Applications may be obtained in the Watershed Protection and Development Review located on the 8th floor at One Texas Center 974-7180, or at <http://www.ci.austin.tx.us/rowman/index.cfm>
2. ☐ No ☒ Yes - Is the structure currently tied onto water and/or sewer services provided by the City of Austin? Please contact 494-9400 for water and sewer service information.
3. ☐ No ☒ Yes - Will the proposed work require the removal of a protected size tree or impact the critical root zone as defined within the City of Austin tree protection ordinance? If "Yes" a Tree Ordinance Review Application must be approved by the City Arborist prior to any such activity. Applications may be obtained in the Development Assistance Center, One Texas Center 974-6370. Any demolition or relocation work, which results in damage or destruction of a protected tree without authorization is a City ordinance violation. Additional information may be obtained from the City Arborist, 974-1876, or at <http://www.ci.austin.tx.us/trees/>

CERTIFICATION

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review.

☒ I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application, OR

☒ As owner(s) of the above described property, I/we hereby file as the Applicant for the processing and presentation of this request. I/we shall be the principal contact with the City in processing this application.

Owner's Signature

Date

6 January 2011

Owner's Signature

Date

Eric T. Smith

Cynthia G. Smith

1st Owner's Printed Name

2nd Owner's Printed Name

Sworn and subscribed before me this 6th day of January 2011

Notary Public in and for the State of Texas

My commission expires on: 1/12/14



I certify that the information provided is true and correct to the best of my knowledge and is an accurate reflection of my intentions for the property. I understand that any omission or incorrect information herein will render this application and any permit obtained invalid. I agree to comply with the requirements in all applicable codes. I understand that any substantial modifications or additions to this application can mean the requirement of an additional review.

I understand that no work may begin prior to review by the Historic Preservation Office and issuance of the demolition permit by the Permit Center. I understand that the Historic Preservation Office review does not imply approval of the demolition permit, and that if the structure(s) is determined to be potentially historic as defined by §25-11-214 of the City of Austin Land Development Code, additional review by the Historic Landmark Commission may be required.

Applicant's Signature

Date

January 6, 2011



TRV
2 PGS

2010160745

204

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY AND ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

THAT First of Many, LLC, a Texas limited liability company, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto Eric T. Smith et ux, Cynthia G. Smith, herein collectively referred to as "Grantee", the real property described as follows:

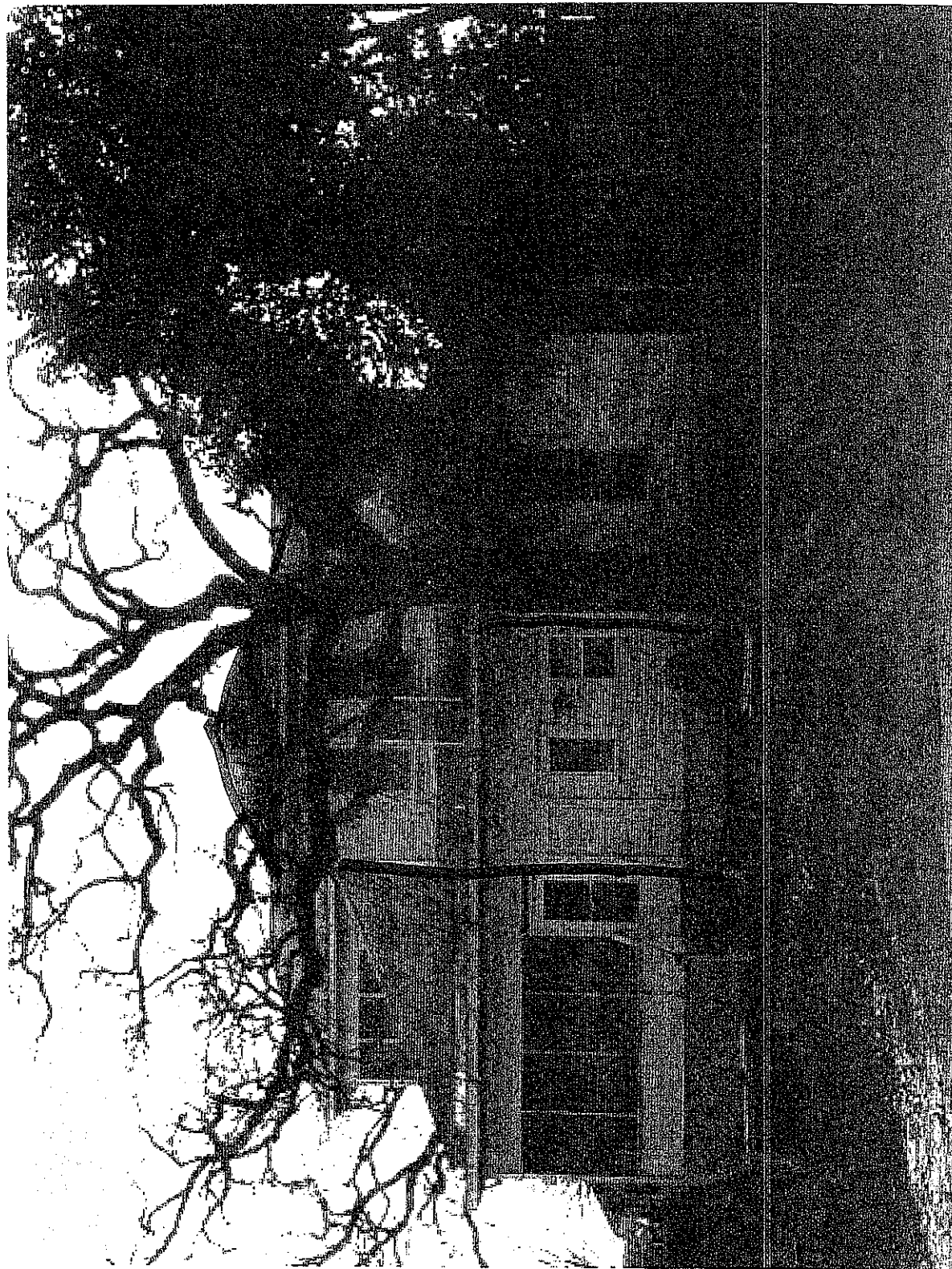
Lot 1 and the easterly 9.42 feet of Lot 2, Block "3" out of LOUIS HANCOCK'S SUBDIVISION OUT OF THE SOUTH HALF OF OUTLOT 4, DIVISION "Z" of the Government Tracts adjoining the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 2, Page 175 of the Plat Records of Travis County, Texas, and being that same property described in a deed recorded in Doc. No. 2008179015 of the Official Public Records of Travis County, Texas.

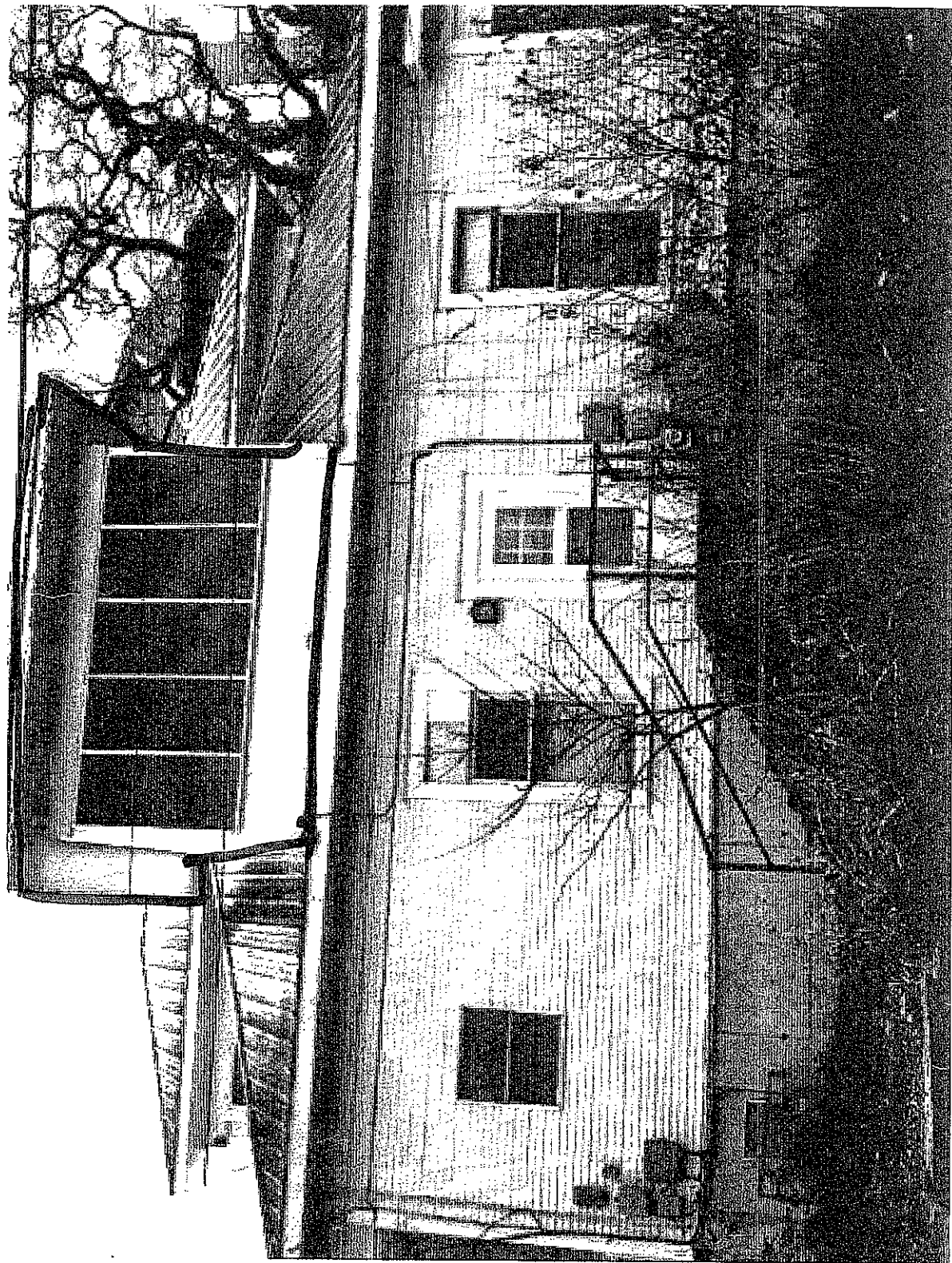
The conveyance herein are made and accepted subject to any and all validly existing liens, encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of Travis County, Texas.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property have been prorated; the payment thereof is assumed by Grantee.

GENERAL WARRANTY DEED





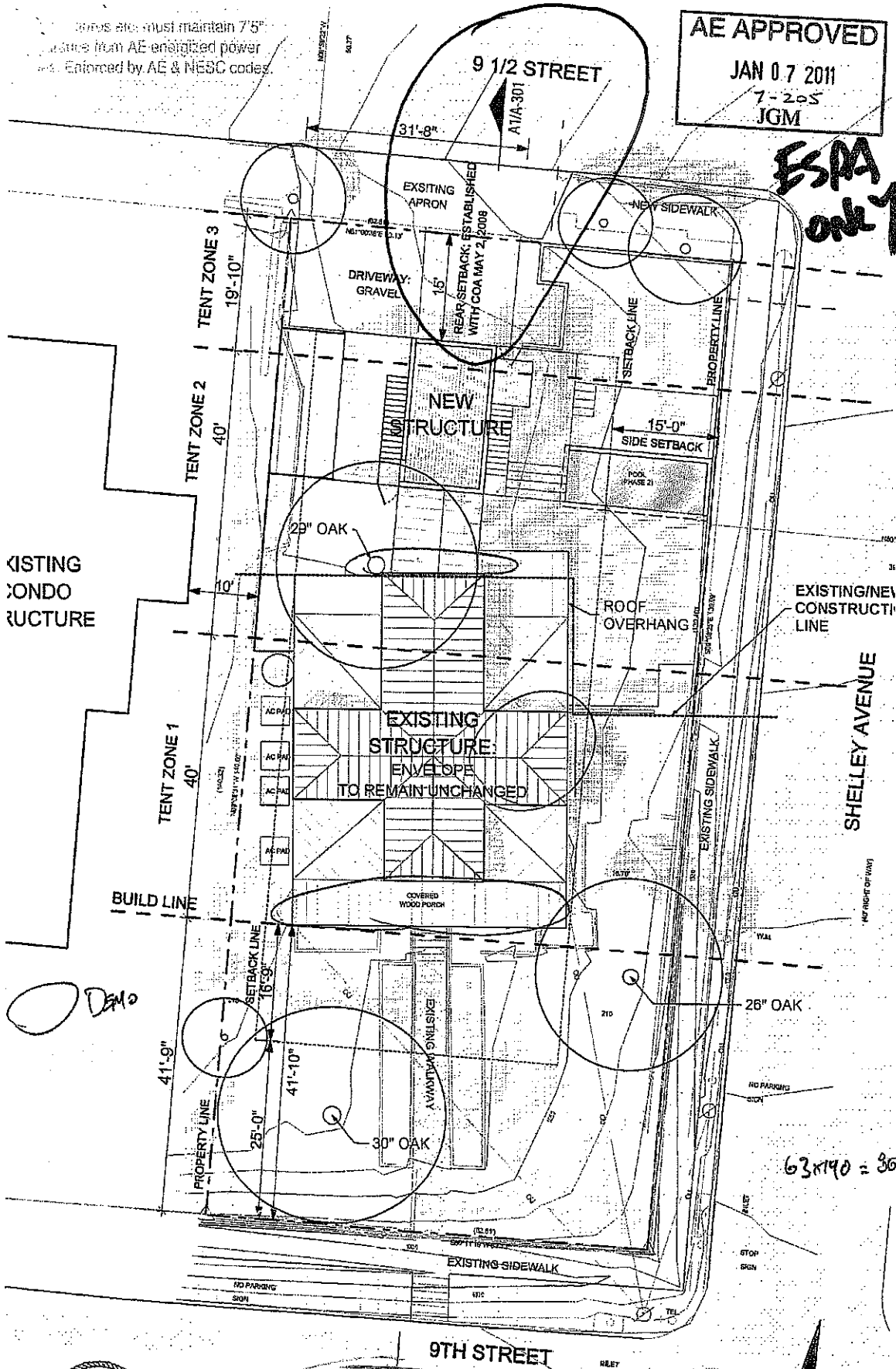
lines also must maintain 7'5" clearance from AE energized power lines. Enforced by AE & NEBC codes.

AE APPROVED

JAN 07 2011

7-205
JGM

ESPA only



SITE PLAN

SCALE: 1/16" = 1'-0"

SMITH RESIDENCE: SITE PLAN

CITY OF AUSTIN PERMIT SET
DATE: 01.07.2011

HURT PARTNERS ARCHITECTS

400 West 14th St Austin, Texas 78701
512-473-0023
512-474-0130
WWW.HURTPARTNERS.COM



63x190 = 3630



Austin Water Utility
Water & Wastewater Service Plan Verification
(W&WW SPV)

PLEASE READ IMPORTANT INSTRUCTIONS ON PAGE 2

Customer Name: Kasi Painter (Please Print or Type) Phone: 328 9888 Alternate Phone: _____
Service Address: 1204 W. 9th
Lot: 12 Block: 3 Subdivision/Land Status: Hancock Tax Parcel ID No.: _____
Existing Use: vacant single-family res. duplex garage apartment other _____
(Circle one)
Proposed Use: vacant single-family res. duplex garage apartment other _____
(Circle one)
Number of existing bathrooms: N/A gutted? Number of proposed bathrooms: 4
Use of a pressurized auxiliary water system (i.e. rainwater harvesting, well water, lake/river water, etc.) Yes _____ No _____

City of Austin Office Use
Water Main size: 8" Service stub size: 3/4" Service stub upgrade required? _____ New stub size: _____
Existing Meter number: 84816 Existing Meter size: 5/8" Upgrade required? Y New size: 3/4"
WW Service: Septic System/On-Site Sewage Facility (OSSF) _____ or WW Collection System ✓ WW Main size: _____

If a pressurized auxiliary water system is or will be installed, please contact the Utility's Special Services Division (SSD) at 972-1060, 3907 South Industrial Blvd., Suite 100 for consultation and approval.

Auxiliary Water (if applicable) Approved by SSD (Signature & Print name) _____ Date _____ Phone _____
Approved: ☐ Yes (see attached approved documents) ☐ No

If the site has an OSSF, please contact Utility Development Services (UDS) at 972-0210 or 972-0211, Waller Creek Center, 625 E. 10th Street, Suite 715 for consultation and approval.

W&WWSPV Completed by (Signature & Print name) _____ Date _____ Phone _____
OSSF (if applicable) Approved by UDS (Signature & Print name) _____ Date 1/7/11 Phone _____
AWU Representative _____ Date _____ Phone 474-8134
Approved: ☐ Yes (see attached approved documents) ☐ No

NOTE: For residential plan review, this original stamped "approval" must be submitted with the stamped "original" floor plan.

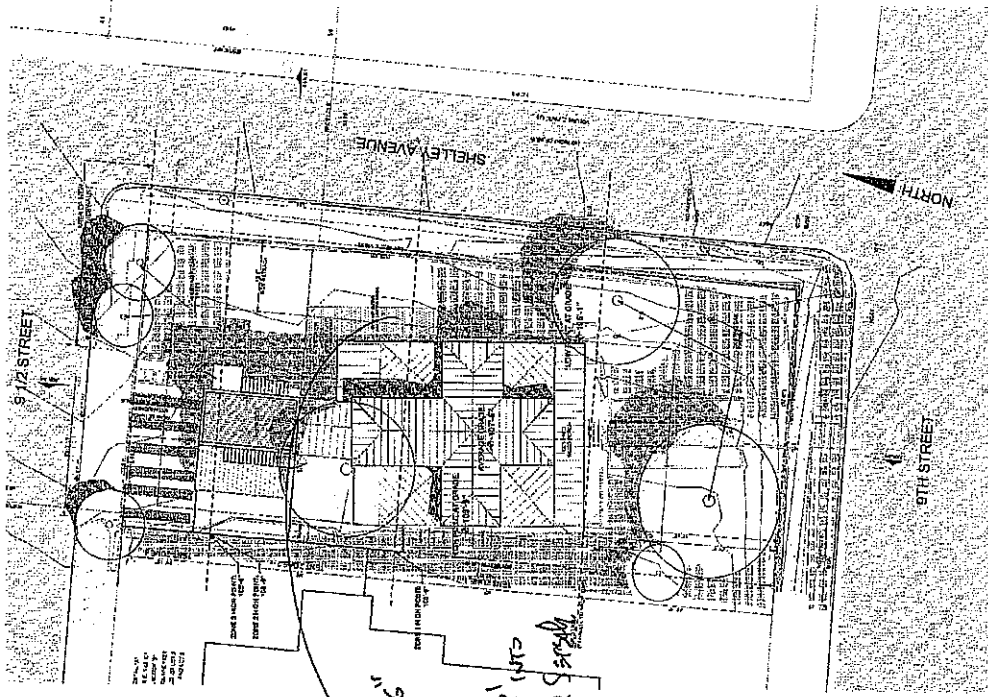
Verification expires 180 days after date of Submittal

PLEASE READ IMPORTANT INSTRUCTIONS ON PAGE 2

Page 1 of 2

* Need to upgrade to 3/4" meter before

RECEIVED
JAN 07 2011
WATER & WASTEWATER UTILITY
CONSUMER SERVICES DIVISION

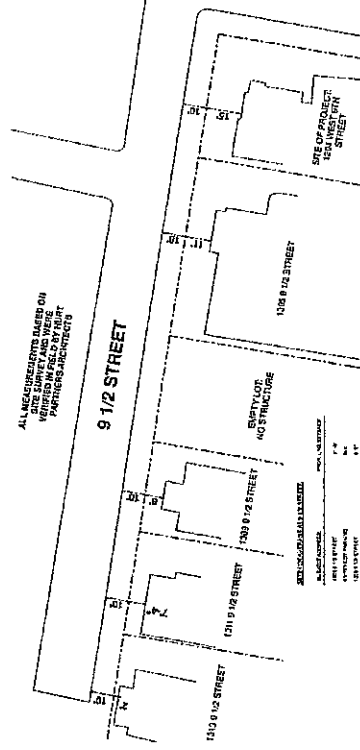


Dada $\angle 36^\circ$
 Height,
 No floor
 Tans 3' 11" =
 Fraser 2' 5" only

OF AMERICAN
OVERSEAS
Glad Guzman
Helen D. Guzman
Developing International
Business
Date _____
The _____
will permit _____
shall not be _____
over _____
accepted _____
_____ Austin.

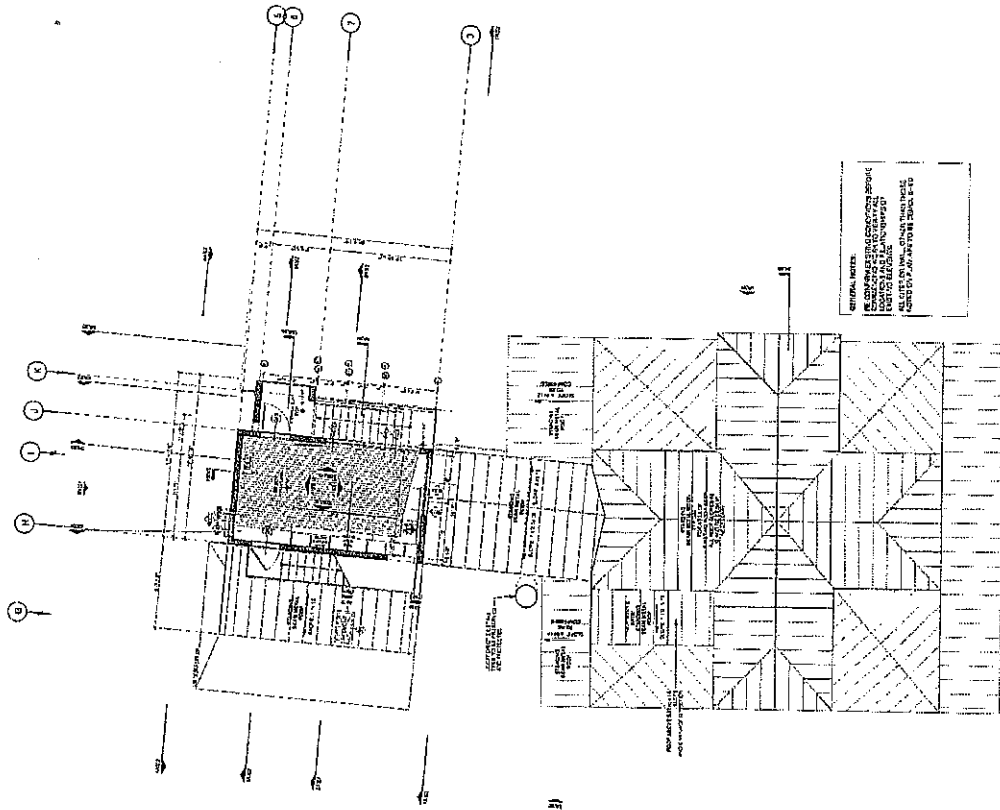
ALL MEASUREMENTS BASED ON
SITE SURVEY AND WERE
VERIFIED IN FIELD BY HURT
PARTNERS ARCHITECTS

9 1/2 STREET

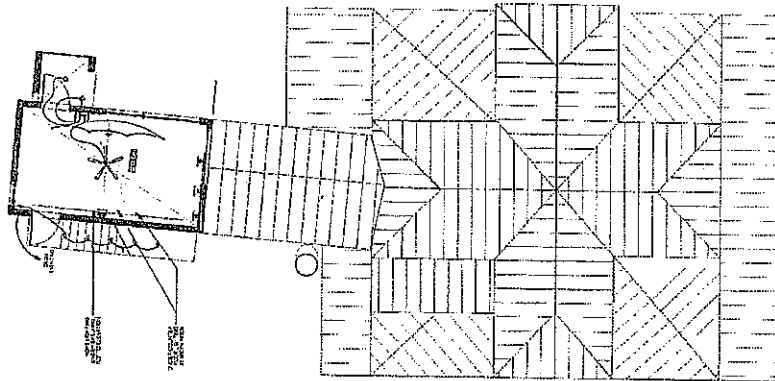


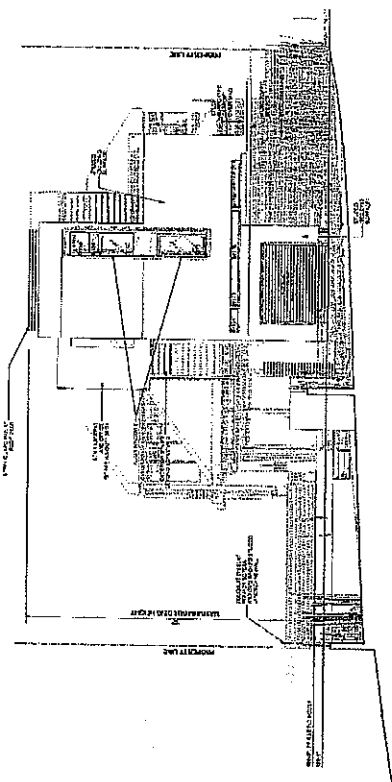
1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th	21st	22nd	23rd	24th	25th	26th	27th	28th	29th	30th	31st	32nd	33rd	34th	35th	36th	37th	38th	39th	40th	41st	42nd	43rd	44th	45th	46th	47th	48th	49th	50th	51st	52nd	53rd	54th	55th	56th	57th	58th	59th	60th	61st	62nd	63rd	64th	65th	66th	67th	68th	69th	70th	71st	72nd	73rd	74th	75th	76th	77th	78th	79th	80th	81st	82nd	83rd	84th	85th	86th	87th	88th	89th	90th	91st	92nd	93rd	94th	95th	96th	97th	98th	99th	100th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

SETBACK AVERAGE CALCULATIONS

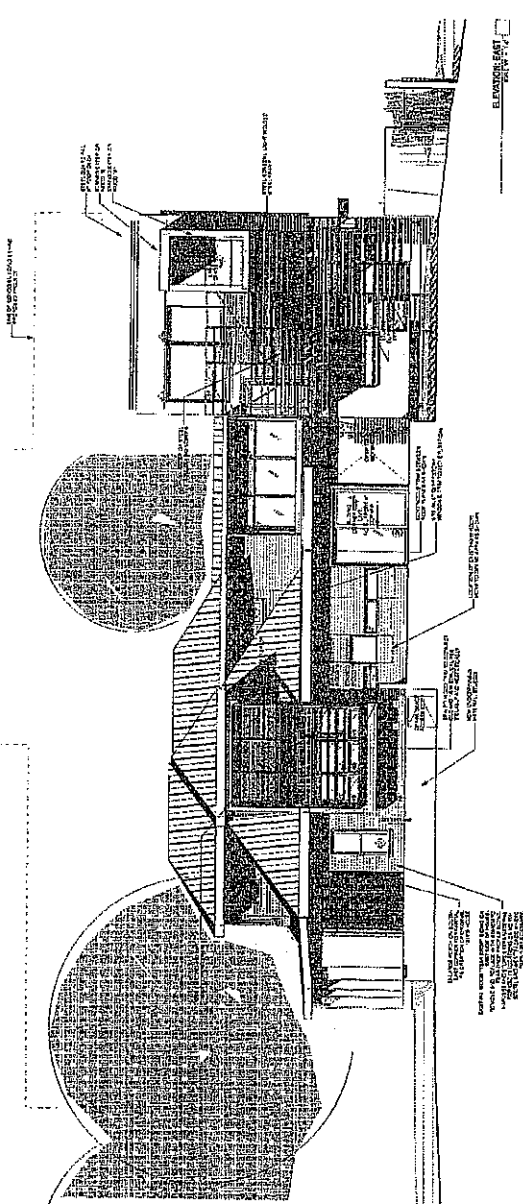


GENERAL NOTES	ELECTRICAL LEGEND
1. ALL ROOFING SHALL BE 30 YEAR WARRANTY MEMBRANE.	1. 1/2" MIN. THICKNESS
2. ALL ROOFING SHALL BE 1/2" MIN. THICKNESS.	2. 1/4" MIN. THICKNESS
3. ALL ROOFING SHALL BE 1/4" MIN. THICKNESS.	3. 1/8" MIN. THICKNESS
4. ALL ROOFING SHALL BE 1/8" MIN. THICKNESS.	4. 1/16" MIN. THICKNESS
5. ALL ROOFING SHALL BE 1/16" MIN. THICKNESS.	5. 1/32" MIN. THICKNESS
6. ALL ROOFING SHALL BE 1/32" MIN. THICKNESS.	6. 1/64" MIN. THICKNESS
7. ALL ROOFING SHALL BE 1/64" MIN. THICKNESS.	7. 1/128" MIN. THICKNESS
8. ALL ROOFING SHALL BE 1/128" MIN. THICKNESS.	8. 1/256" MIN. THICKNESS
9. ALL ROOFING SHALL BE 1/256" MIN. THICKNESS.	9. 1/512" MIN. THICKNESS
10. ALL ROOFING SHALL BE 1/512" MIN. THICKNESS.	10. 1/1024" MIN. THICKNESS
11. ALL ROOFING SHALL BE 1/1024" MIN. THICKNESS.	11. 1/2048" MIN. THICKNESS
12. ALL ROOFING SHALL BE 1/2048" MIN. THICKNESS.	12. 1/4096" MIN. THICKNESS
13. ALL ROOFING SHALL BE 1/4096" MIN. THICKNESS.	13. 1/8192" MIN. THICKNESS
14. ALL ROOFING SHALL BE 1/8192" MIN. THICKNESS.	14. 1/16384" MIN. THICKNESS
15. ALL ROOFING SHALL BE 1/16384" MIN. THICKNESS.	15. 1/32768" MIN. THICKNESS
16. ALL ROOFING SHALL BE 1/32768" MIN. THICKNESS.	16. 1/65536" MIN. THICKNESS
17. ALL ROOFING SHALL BE 1/65536" MIN. THICKNESS.	17. 1/131072" MIN. THICKNESS
18. ALL ROOFING SHALL BE 1/131072" MIN. THICKNESS.	18. 1/262144" MIN. THICKNESS
19. ALL ROOFING SHALL BE 1/262144" MIN. THICKNESS.	19. 1/524288" MIN. THICKNESS
20. ALL ROOFING SHALL BE 1/524288" MIN. THICKNESS.	20. 1/1048576" MIN. THICKNESS



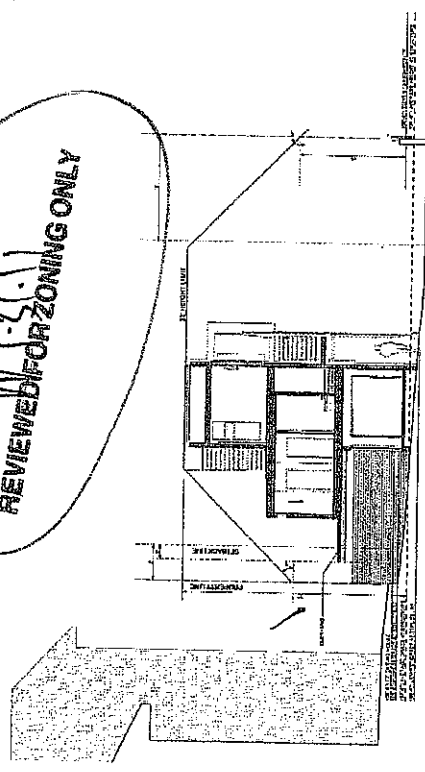


ELEVATION EAST

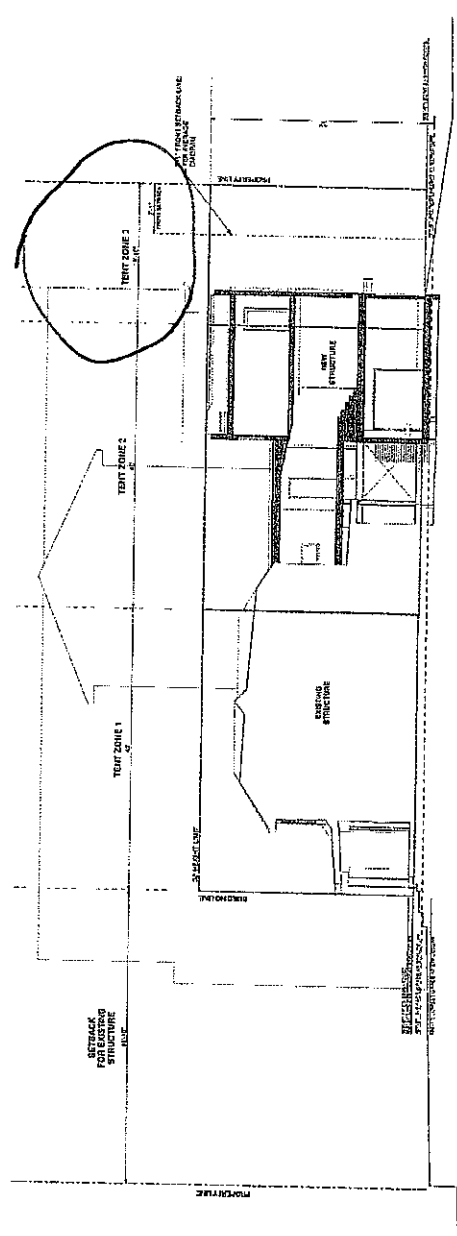


ELEVATION EAST

REVIEWED FOR ZONING ONLY



SECTION LINE A-A



SECTION LINE B-B